

PP 1349-a 53
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T H E
T R I A L S

O F
JAMES BROWN RIGG,
A N D
JOHN BROWN RIGG, his Son,

For Confining and inhumanly Scourging

MARY MITCHEL, Spinster ;

A T T H E
General QUARTER SESSIONS of the PEACE,
Held at GUILDHALL,

On MONDAY, OCTOBER 19, 1767.

In the Seventh Year of His MAJESTY's Reign;

Before the Right Honourable

Sir ROBERT KITE, Kt. LORD-MAYOR,

JAMES EYRE, Esq; RECORDER,

And others His MAJESTY's Justices of the Peace for the City of London.

Published by Authority of the Court.

L O N D O N,

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THE

T. R. I. A. L.

OF

W. B. BROWN

W. B. BROWN

Commanding

MARY MITCHELL

General

W. B. BROWN

ROBERT R. MITCHELL

W. B. BROWN

W. B. BROWN

W. B. BROWN

W. B. BROWN

W. B. BROWN

T H E
T R I A L
O F
J A M E S B R O W N R I G G.

The following GENTLEMEN were sworn upon the JURY:

Jeremiah Garrard,
William Cooper,
John Cancellor,
William Wright,
William James, jun.
William Befwick,

William Straffon,
Joseph Brown,
Edward Wight,
John Anderson,
John Lownds,
John Leathly.

JAMES BROWN RIGG was indicted for making an assault on Mary Mitchel, spinster, his apprentice, in an unlawful and inhuman manner, by taking her the said Mary by the legs and feet, and forcing her head into a large tub of water, and there let her be till she was almost strangled: the second count charged him with putting her head into a tub of water another time: the third

count charged him with beating her in a cruel and inhuman manner, giving her several violent blows on her head, by means of which her left ear was very much bruised and swelled: a fourth count was, that her left ear was cut and disfigured: a fifth charged him, that with a large horse-whip he cruelly and inhumanly beat her: and a sixth count charged him with confining her in a dark and damp place for a

con-

considerable time. There were two other counts, charging him with confining her at two other separate times, contrary to the statute, &c. &c.

Mary Mitchel sworn.

Mary Mitchel. I was apprentice to Mr. Brownrigg the prisoner.

Q. What was your mistress?

M. Mitchel. She was a midwife.

Q. Did any other girl live there besides you and Mary Clifford the deceased?

M. Mitchel. Yes, there was one Elizabeth Quinton, but she went away.

Q. Did you know one Mary Jones?

M. Mitchel. I did, she lived there.

Q. Was she there before or after you?

M. Mitchel. She came after I was there; Elizabeth Quinton was gone when Mary Jones came; there was no other servants but Mary Jones and I then.

Q. Had your mistress any lodgers in the house?

M. Mitchel. She used to take in women to lie in.

Q. Who did the washing?

M. Mitchel. Mary Jones and I did all the washing while we were there together; that is, all the linen in the house.

Q. Do you recollect any thing that happened while you was washing at any time?

M. Mitchel. We got up one morning, about four o'clock in the morning, and washed till about seven or eight at night, and I was very sleepy; I slept a little over the tub, and my master, James Brownrigg, came down stairs as I was nodding, and took me by my heels, and dipt my head into the tub.

Prisoner. What had you been drinking that day?

M. Mitchel. Nothing, I was only sleepy.

Q. Was there much water in the tub?

M. Mitchel. There was not a great deal in it.

Q. How long did your head continue there?

M. Mitchel. I cannot tell how long.

Q. Did he hold you there?

M. Mitchel. I fancy he did not, I struggled and got out.

Q. Was your head covered?

M. Mitchel. It was not quite covered, but my mouth and face was.

Q. Was any body present to see this?

M. Mitchel. Yes, Mary Jones was.

Q. Did he serve you so any time after this?

M. Mitchel. Yes, he did once after this.

Q. How long after?

M. Mitchel. I cannot tell how long after.

Q. What was that done for?

M. Mitchel. I was bid to cut some bread and butter for supper, and I happened to take a bit of butter that was saved for my mistress's breakfast, and my master bid me come down stairs with him into the kitchen; there stood a tub of water, my master took me by my heels, and put my head in.

Q. Was the tub full of water?

M. Mitchel. No, it was about half full of water.

Q. How long might your head be under water?

M. Mitchel. I cannot tell how long.

Q. Was any body present at the time?

M. Mitchel. No, there was not.

Q. Was you hurt by it?

M. Mitchel. I could not fetch my breath right for some time.

Q. How long is this ago?

M. Mitchel. I think it may be about a year and a half ago from this time.

Q. Do you recollect any other ill usage from him?

M. Mitchel. I was laying the cloth, and to the best of my knowledge there was some potatoes on the fire; I let them boil till they were all of a mash; he took his walking cane, and struck me on my left ear, and broke the gristle of it (*she shewed her ear, which, though healed, was very much disfigured*); I had had a blow upon it from him about a day or two before, but before that it was like my other ear.

Q. Did he ever strike you at any other time?

M. Mitchel.

M. Mitchel. Yes, once he struck me with the horse-whip.

Q. On what account did he strike you with the horse-whip?

M. Mitchel. He had been to Islington to my mistress; he came home, and wanted a shift for her; he ordered me to look for one, I found but one, and that was not ironed, and he took his whip and gave me several strokes with it.

Q. Did he strip you?

M. Mitchel. No, he did not.

Q. What clothes had you on when he whipped you with the horse-whip?

M. Mitchel. I had a gown and petticoat, and leather bodice on.

Q. Do you recollect any thing more that he did to you?

M. Mitchel. When he went into the country, he once put me in the coal-hole under the stairs.

Q. What day was that?

M. Mitchel. That was on a Sunday.

Q. How long was you confined there?

M. Mitchel. I was there about half an hour, or perhaps not quite so long.

Q. What did he put you there for?

M. Mitchel. I can't tell what it was for.

Q. Who let you out?

M. Mitchel. The apprentice did, after my master went away and left me.

Q. Did he ever order any body else to confine you?

M. Mitchel. I do not know that he ever did.

Q. Had you done any fault at that time?

M. Mitchel. I don't know that I had, he did not charge me with any.

Prisoner. I know nothing about striking her ear; I remember it being sore, but never by any accident of mine in my life. As for dipping her head in the tub, we had only one tub that I used to dip my young child in, a little girl; I never dipped this girl in it. We had fifty-six pounds weight of butter, she had used to take it away; we have found butter in her pocket.

Q. from prisoner. Do you remember making away with a handkerchief like this? (*producing a silk handkerchief.*)

M. Mitchel. No, I do not; my mother was accused with that.

Mary Jones sworn.

Mary Jones. I was bound out an apprentice to the prisoner by the Foundling Hospital; I was fellow-servant with Mary Mitchel.

Q. Did you ever see the prisoner do any thing to Mary Mitchel?

M. Jones. Yes, I did; I saw him dip her in the suds.

Q. What was that for?

M. Jones. That was for falling asleep over the washing-tub.

Q. How long had she been washing that day?

M. Jones. To the best of my remembrance she got up about five o'clock in the morning, and had been washing all day.

Q. What time was it that he dipped her in the suds?

M. Jones. That was between six and seven at night.

Q. In what manner did he dip her in the tub?

M. Jones. He took her up by the heels, and tore her cap from her head, and dipped her head in.

Q. How did she get out again?

M. Jones. He took her out again.

Q. Did you see him take her out?

M. Jones. I did.

Q. Did you ever see him use her ill at any other time?

M. Jones. I once saw him whip her in the coal-hole.

Q. How was that?

M. Jones. He took her out of the kitchen into the coal-hole and whipped her.

Q. What did he whip her with?

M. Jones. To the best of my remembrance it was with a rod.

Q. What do you call the coal-hole?

B

M. Jones.

M. Jones. I mean the little hole under the stairs.

Q. What had she done?

M. Jones. I can't really say what she had done.

Q. Did you ever see him put her in the water at any other time?

M. Jones. I never saw him put her in the water but once.

Q. Did you see her ear hurt?

M. Jones. I was not there when her ear was hurt.

Q. from prisoner. Do you remember her making mischief sundry times, and telling lies of you to your mistress?

M. Jones. No.

Q. from prisoner. Was not she always quarrelling with you?

M. Jones. No, she never quarrelled with me; she never told lies of me as I know of.

Prisoner's defence.

My Lord and Gentlemen of the Jury, here are abundance of things seemingly alledged against me, that I have been cruel to this girl; there has been since she has been at our house, at sundry times, sixteen or eighteen people of credit that have boarded with me; this girl always attended upon these people. If there was a better piece of victuals than ordinary, this girl would have it, and she advised Mary Clifford (the girl that is dead) to do the same. She has at sundry other times picked the locks of a chest of drawers, they were chest upon chest; she stole a handkerchief, and laid it upon an innocent person; a gentlewoman that she attended some time ago at Islington, she would have taken her oath she saw it about her neck, which made a great noise in the family. After that she was coming from Islington, she said she had seen her mother, and her mother pursued her to take a bundle from her, and she desired me if her mother ever came to my house, not to let her mother see her; why so, said my wife, let your mother be what she will, she is your mother; she told me her brother was transported, and her mother got the money from him which he

had got, and said her mother wanted her to rob me, and for that reason she wanted me not to let her come to my house. Now this girl most certainly is a bad girl, and not to be credited, to the prejudice of me and my family; I am ruined, and my wife has suffered by her. At the trial at the Old-Bailey, I think she said we had not had a boarder for about half a year; now the last boarder we had, came in September 1766, and staid with us till June 1767, I believe my son has the receipt to shew when we settled. Now if these girls had been ill treated in the time she has said, some of them must have seen something of it; never before this was my character asperged; when she has been going to be beat, I have taken the whip away, and would not let her be beat; this the girl said before Alderman Crosby; though my wife was brought in guilty of wilful murder, I thought this country was more Christian than to ruin me; I have not a shilling in the world to help me.

Q. to Mitchel. Did you not say at the Old-Bailey, your master had never beat you?

M. Mitchel. No, I said when I was taken up first, my master did not beat me.

Q. Did not you say at the Old-Bailey your master had never beat you, but your mistress and John the son had.

M. Mitchel. I said I was asked whether my master ever beat me with my clothes off, and I said no, he never had.

Prisoner. I have had five apprentices, all my boys give me a good character; the boy I have now told the Alderman, he knew no difference between me and his father; I never did any more to the girl than I did to my own children; she may say what she will, I might dip her head into the water tub, I believe I did, I cannot say that was any thing detrimental to the girl's health, God forbid!

For the prisoner.

Thomas Coulfson sworn.

Thomas Coulfson. On Tuesday the 4th of August, when this affair became public, when I came

I came there, they were enquiring for the girls; one they had found, the other could not be found; I asked where the other girl was that was not found; they told me; I went and asked this girl who had given her them wounds; she told me her mistress had given her them; I asked her if her master had; she said her master had never hurt her; I asked her again if her master ever beat her; she said he has kicked my back-side with his foot, but never beat her to hurt her.

Cross examination.

Q. What were the words you made use of?

Coulson. I said, who beat you in that cruel manner; she said, my mistress; I said, did your master do it; she said, no; she said, he had beat her, and kicked her back-side, but never hurt her; I said, child, you are now from your master, speak without fear, I will be answerable you shall never go to be under them any more; she seemed to speak very clear.

Q. You meant them wounds you saw on her head, did you not, when you asked who gave her them?

Coulson. I did.

Q. What is the prisoner's character?

Coulson. I always looked upon him to have a good character.

Mrs. Goadier sworn.

Mrs. Goadier. I had conversation with this girl, Mary Mitchel, about her master and his son; I asked her whether her master or his son ever beat her; she said it was her mistress, and that her master and his son never beat her to hurt her.

Q. Where was this conversation?

Goadier. This was at the hospital.

Prisoner. You have seen the girl at work in washing, and doing things, please to tell the court what you have seen her do.

Court. That is immaterial in this enquiry.

Goadier. She said the prisoner had beat her, but never to hurt her.

Cross examination.

Q. Did she tell you in what manner the mistress beat her?

Goadier. No, she did not.

Q. Did she mention the dipping her head in a tub of water?

Goadier. No, she did not.

Q. Did she say any thing about her ear?

Goadier. No, she did not; she told me her stomach was sore by the whipping her mistress had given her.

Q. Did you not ask her about her ear?

Goadier. No, I never did.

Prisoner. No body else ever heard of her ear till to day; I never heard of it before; it was not done by me.

Elizabeth Jones sworn.

Elizabeth Jones. I heard the girl say her master and his son had struck her, but not to hurt her.

Q. When was this?

E. Jones. This was in the kitchen at the workhouse, about an hour after she was brought in there.

Sarah Drinkwater sworn.

Sarah Drinkwater. Last Thursday I was at the workhouse to see for a girl big enough to go to a mantua-maker; Mrs. Jones shewed me a girl, but I did not think she was proper; I there saw this girl, Mary Mitchel; I asked Mrs. Jones if that girl was to go out; she said, no; she said she was the girl that came in there on this affair of Mr. Brownrigg; I said I thought, by what I saw, she was capable of doing any thing; she said, yes she was, and showed me a pair of wristbands of the girl's doing; and while I was there I saw the girl take a large form, and lift it about; that is all I know.

Court to prisoner. If any of your lodgers are here, we are ready to hear them.

Prisoner. The circumstance of these people that were lodgers in my house, will not admit me to call them. Guilty. Recommended.

T H E

T H E T R I A L O F J O H N B R O W N R I G G.

JOHN BROWNRIGG was indicted for making an assault on Mary Mitchel, spinster, she being apprentice to James Brownrigg his father; that he, the said John, on the 1st of September 1766, did force and compel her the said Mary to strip herself naked; and being so naked, did fasten and bind her hands and legs with hempen cords, and also fastened a cord round the waist of her the said Mary; and with a certain horse-whip did whip and beat the said Mary on the naked body, legs, arms, and thighs, in a most inhuman and barbarous manner, giving to her several wounds and bruises, making her undergo great pain and anguish for the space of twelve weeks. There

were two other counts of the same nature laid to be done, one on the 2d, and the other on the 3d of September: the fourth count was, for confining her in a dark and damp place for a long time, by which means she received great damage, against the form of the statute in that case made and provided.

Mary Mitchel sworn.

Mary Mitchel. I was an apprentice to James Brownrigg.

Q. When was you bound?

M. Mitchel. It is two years last May since I was bound.

Q. How

Q. How old are you?

M. Mitchel. I am going on sixteen years of age.

Q. How was you treated at your first going there?

M. Mitchel. I was treated very well while I was upon liking.

Q. How long was you upon liking before you was bound?

M. Mitchel. I was two months; the prisoner is son to my master, James Brownrigg.

Q. What have you to say against him?

M. Mitchel. He beat me three mornings running.

Q. How long ago is that?

M. Mitchel. The first time was about six or seven months before we were taken out, (that is Mary Clifford that is dead) and I.

Q. How came he to beat you?

M. Mitchel. The two first mornings he beat me by my mistress's order; she bid him take me down stairs and beat me, so he sent me down before him.

Q. In what manner did he beat you?

M. Mitchel. My hands were tied over my head to a water pipe, that goes cross the kitchen under a beam at the top of a room, and he tied both my legs together to the dresser post with another cord, and he tied a cord round my waist for him to lay hold of, that I might not swag.

Q. Had you your clothes on?

M. Mitchel. No, they were off; he ordered me to strip when I was down, and so I did strip quite naked.

Q. What clothes had you on that morning?

M. Mitchel. To the best of my knowledge, I had a gown and petticoat on.

Q. Had you stays on?

M. Mitchel. I cannot tell whether I had or not.

Q. Did you take your stockings off?

M. Mitchel. I seldom wore any stockings.

Q. How did he beat you?

M. Mitchel. He horse-whipp'd me.

Q. How long, and in what manner?

M. Mitchel. All over my body, chiefly about my belly.

Q. What sort of a horse-whip was it?

M. Mitchel. It was called a riding-whip.

Q. Had it a long or a short lash?

M. Mitchel. A short lash.

Q. How long?

M. Mitchel. I can't tell how long.

Q. How many blows might he give you?

M. Mitchel. I can't tell.

Q. Was you hurt?

M. Mitchel. I was, very much.

Q. In what condition was your body?

M. Mitchel. I was bleeding very much in several parts, but my belly was the worst.

Q. Had you any blood on your head and shoulders?

M. Mitchel. No, I was struck chiefly below; after that he drove me up stairs with the whip in his hand to his mother and my master.

Q. Where were they?

M. Mitchel. They were sitting in the back parlour.

Q. What were they doing?

M. Mitchel. I can't tell.

Q. What time of the day was this?

M. Mitchel. It was in the morning.

Q. What did he drive you up stairs for?

M. Mitchel. He drove me up for his mother to see how he had beat me; he asked his mother if he had not given me enough now.

Q. Are you certain the father was present?

M. Mitchel. I am.

Q. What was done to you after this?

M. Mitchel. He beat me again the next morning.

Q. What fault had you done?

M. Mitchel. I can't tell what fault I had done, but they were both times by my mistress's order. I was beat this time as before; he made me strip naked, and tied my hands together with a cord over the water pipe, and my legs with another to the dresser post, and another round my body.

Q. Where was his mother the second time of beating?

M. Mitchel. She was then in the parlour.

Q. What did he beat you with a second time?

M. Mitchel. He horse-whipp'd me; my sores were then remaining very bad from the beating the day before, and may be I was not
C beat

beat so much this time, because my fores were soon broken.

Q. How many blows might he give you this second time?

M. Mitchel. I can't tell.

Q. How long might he be beating you?

M. Mitchel. It might be above a minute or two; I was soon made to bleed.

Q. Did he beat you after this?

M. Mitchel. Yes, he beat me the next day.

Q. For what?

M. Mitchel. Because I had eat some chest-nuts that were up in his room.

Q. Who bid him beat you this time?

M. Mitchel. Nobody bid him, this was of his own accord. He then made me strip naked, and he tied my hands up to the water pipe, and my legs to the dresser post, and another cord round my waist, and horse-whipp'd me.

James Brownrigg. She broke the lock open to get at the chestnuts, as my son told me.*

M. Mitchel. I did not break the cupboard open, there never was any lock upon the door.

Q. How came the prisoner to know of your taking any?

M. Mitchel. I do not know how he came to know it; I that time had on a boy's waistcoat; he said I was ready stripped, and I must come down, and he would learn me to take any thing out of his room; I went down, and he made me pull the boy's waistcoat off and whipped me; these were three mornings running; the third time he gave me several strokes with the whip, and then sat himself down upon the dresser with the whip in his hand, and said he would come to me again.

Q. Did he come to you again?

M. Mitchel. He did, in about a minute afterwards.

Q. How many strokes might he give you that time?

M. Mitchel. I can't tell justly; he gave me a good many; I was very bad, and could hardly walk cross the plate.

Q. Was any blood drawn then?

M. Mitchel. There was.

Q. Where was you hurt the most?

M. Mitchel. I was hurt more particularly on my private parts.

Q. Did the whip come there?

M. Mitchel. It did.

Q. Where had he the cords?

M. Mitchel. There were three cords; there always used to be cords kept in the dresser drawer in the kitchen, on purpose for that use.

Q. How do you know they were kept for that use?

M. Mitchel. To the best of my knowledge, my mistress was the first that brought them down, and desired they might be saved.

Q. Did you ever go with them to the country?

M. Mitchel. I went with them once or twice to Islington.

Q. Where had you used to be when they went into Hertfordshire?

M. Mitchel. I was then at home; then we used to be locked up under the stairs.

Q. Who used to lock you up?

M. Mitchel. John the prisoner generally used to lock us up; my master and mistress used to go to Hertfordshire on the Saturday, and come back on the Sunday night; then we used to be locked up on the Saturday evening till they came back; John used to go down after them.

Q. What had you used to lie on?

M. Mitchel. Sometimes we used to get rags out of the fore garret, and sometimes we had nothing to lie on, sometimes we had our own clothes.

Q. Had you victuals given you?

M. Mitchel. We had.

Q. What

* The prisoner being ill, and having in some measure lost his hearing, his father sat by him, and was allowed by the Court to ask questions of the witnesses for him, as he thought proper.

Q. What victuals?

M. Mitchel. We used generally to have a quartern loaf cut on the Saturday night for our supper, and the remainder was given in with us, that was Mary Clifford and I.

Q. Had you any thing to drink?

M. Mitchel. No, we had not.

Q. Who had used to let you out?

M. Mitchel. The apprentice boy generally did.

Q. How often had your master and mistress used to go into the country?

M. Mitchel. I think for seven Saturdays running, we were locked up in this manner till the Sunday night.

Q. What sort of a place was it you was locked up in?

M. Mitchel. It was a dark place under the kitchen stairs, under one corner of the stairs.

Q. Was there a window?

M. Mitchel. There was a window to the kitchen, but no light to the place where we were locked in.

Q. What sort of a floor had it?

M. Mitchel. I think it was brick, but there was stuff in it, so that there was no telling what the flooring was.

Q. from prisoner. I should be glad to know the days of the month?

M. Mitchel. I cannot tell that.

Q. from James. Had we any lodgers in the house at either of the times of beating, or when you was locked up?

M. Mitchel. I cannot rightly tell whether there were or not; I do not know whether the French gentlewoman was then there, she was the last.

Q. Did you cry out?

M. Mitchel. I did.

Q. Could they not have heard you up stairs?

M. Mitchel. No, they could not.

Q. How came you not to cry out aloud?

M. Mitchel. When my mistress used to beat us, she would tell us, the more we cry'd the more she would beat us, and we used to stifle it as much as we could.

John Wingrave sworn.

John Wingrave. I was a constable in the parish where the girl lived last August; I attended before my Lord-Mayor when the prisoner was upon his examination, he was charged with having used this girl cruelly.

Q. Have you heard the account she has given here?

Wingrave. I have.

Q. What account did she give before my Lord-Mayor?

Wingrave. She gave the very same there as she has here.

Q. What defence did the prisoner John Brownrigg make to the charge?

Wingrave. He said the chestnuts were not his own.

Q. Did he make any other remark?

Wingrave. I do not remember he did.

Q. Did he hear the whole examination of the girl?

Wingrave. He did; I do not remember he denied any part of the charge, only that the chestnuts were not his own.

William Grundy sworn.

William Grundy. I attended my Lord-Mayor upon the examination of Mary Mitchell, against John Brownrigg.

Q. Did you hear her give her evidence here?

Grundy. No, I did not.

Q. What account did she give before my Lord-Mayor?

Grundy. She gave an account of her having been horse-whipped by the prisoner, three days following each other; and that the last time was for taking some chestnuts from his room.

Q. What did the prisoner say in answer to that charge?

Grundy. He said the chestnuts were not his own, that the girl had stole.

Q. Did you hear him make any other observation?

Grundy.

Grundy. I can't say I did; he said nothing else as I remember.

Prisoner's defence.

The girl from this beating, as is represented, never lay ill one day; I taught her to read.

James Brownrigg. There never was a more tender child of a mother than this my son; and since the death of his mother, it has so penetrated him, that he can hardly comprehend any thing any more than a child; I have reason to believe the girl has had things imbibed into her, in order to give this evidence; I have heard people say, she has declared he never used her ill in his life; I never saw her come into the room, as she has mentioned, from being beat.

C. for Prosecution. I promise you, if you will be an evidence for your son, I will not cross examine you; you have your liberty to say whatever you please.

James Brownrigg. The girl has declared, that we had no lodgers at all; we had lodgers from September the 10th 1766, to June the 30th 1767.

Court. Will you call any of these lodgers to be examined for you?

James Brownrigg. No.

Court. If you can call any body to contradict what the girl has said, that will be proper for you to give in evidence.

James Brownrigg. When I was before Mr. Alderman Crosby, the girl declared there, that neither she, nor the girl that is dead, were ever beat by me, nor her young master, in our lives, to hurt them. Be kind enough to call Mrs. Jones.

For the prisoner.

Elizabeth Jones sworn.

Elizabeth Jones. My mother is mistress of the workhouse.

Q. Was you before Mr. Alderman Crosby when Mary Mitchel was examined?

E. Jones. No, I was not, but my mother was; she heard—

Court. What your mother told you is not evidence; what you have heard the girl say that you may mention.

E. Jones. I heard her say that her master and her young master had struck her, but not to hurt her; and that when her mistress was out of the way, her master and his son would give her more victuals than when her mistress was present.

Q. Where did she say this, and when?

E. Jones. She said this in our kitchen the day she was brought to the workhouse from her master's house.

Q. from James Brownrigg. Did you ever see the girl work?

E. Jones. I have, she is very capable of working plain work since she came to our house, and she has washed her own linen, and she has lifted the tea-kettle when full, which weighed upwards of fourteen pounds weight.

Cross examination.

Q. Did Mary Clifford and this girl come together?

E. Jones. No, she came before Mary Clifford; Mary Clifford came about a couple of hours afterwards.

Q. How did this girl, Mary Mitchel, appear at her coming in?

E. Jones. Her head was in a very bad condition; there were marks of several wounds upon it.

Q. Did you examine how she came by them wounds?

E. Jones. I did, I enquired who did her that mischief?

Q. What answer did she make?

E. Jones. She said it was her mistress; she said her master and young master had beat her, but not to hurt her.

Q. Did you understand her to mean them wounds on her head?

E. Jones.

E. Jones. Yes, she excused the father and son ; as to the wounds on her head, there were several wounds.

Q. Do you remember any particular mark on her head ?

E. Jones. Her ear had a mark upon it.

Q. Upon the whole, did she express herself so, as to let you understand that the young man and her master had not been the cause of these wounds on her head ?

E. Jones. She did, and laid it entirely upon her mistress ; I understood her in that way.

Q. Are not the bones of her wrists dislocated ?

E. Jones. They seem to be out.

Q. Is she fit for any hard work, or fit for the offices of plain work only ?

E. Jones. I think she is capable as I am.

Court. You do not seem to be capable of any laborious work.

Q. to *James Brownrigg.* How old is the prisoner your son ?

James Brownrigg. He is nineteen years of age.

Mrs. Goadier sworn.

Mrs. Goadier. I saw Mary Mitchel at the hospital on the Thursday after the girl was carried to the hospital.

James Brownrigg. Tell what you heard her say concerning my son.

Goadier. I said Jacky was gone to goal with your mistress ; she said, *I am sorry for Jacky, poor thing, Jacky has beat me, but never to hurt me ;* she said her mistress had beat her very much, and Jacky has come down, and taken the whip out of her hand, and held it up as if he went to beat her, but used to screen her, and only made her mistress believe he would beat her ; she expressed her sorrow at hearing he was gone to goal with her, with a degree of tenderness ; she said, he several times took the whip from her mistress, but never beat her to hurt her ; she said, John never used us ill, speaking of both.

Q. Do you belong to the hospital ?

Goadier. No, I do not.

Q. Where do you live ?

Goadier. I live within one door opposite to the prisoner's house.

Q. How came you to go to the hospital ?

Goadier. I went there to see how the girls were ?

Q. Was you sent by any body ?

Goadier. No, I went on my own accord ; I was by the bed-side as she lay in bed ; I went every day, in order to see how the girls did.

Q. Was any body near, so as to hear this conversation ?

Goadier. No, there was not ; there was a nurse in the ward, but she was towards the end, attending her patients.

Q. How long after this was it that you heard the girl had given a contrary account ?

Goadier. I heard that last Friday ; Mr. Deacon's people came home, and said, they should be all in the fuds, Jack would be let out, we shall have our houses fired.

Q. Did you know he was to be tried for the murder of Mary Clifford ?

Goadier. I did.

Q. How came you, having heard she had given so different an account of the matter, not in justice to attend at the Old-Bailey on the trial, to inform the court of it ?

Goadier. I did attend two days, the Friday and Saturday, and I was not called.

Q. How came you not to ask the sister at the hospital to be a witness to this conversation ?

Goadier. Because they seemed to be so much enraged ; I was afraid of speaking in their favour, and I am now in my own neighbourhood ; I was at the workhouse last Friday, to take my leave of the workhouse woman's grand-daughter ; the girl, Mary Mitchel, waited at the table, she brought the tea-kettle along the kitchen ; I said to her, how do you find yourself, are you sorry for what has happened ; no indeed, said she, I am not, not I, I have no sorrow upon my mind, they will only

D

only

only be imprisoned and fined, and the fine will buy me clothes, and put me into some business; I said, who told you you should have the fine to buy you clothes, she is able to get her living both by needle-work or labour; I have needle-work of her doing here in my pocket.

Q. How came you to be so active in this affair, have you any particular connections with the prisoners?

Goodier. No farther than common justice; I did not go to the workhouse on purpose to see the girl, I saw she was there when I went in, so I spoke to her. After this was over, I said, suppose we weigh the tea-kettle full of water; so accordingly we filled it with water, and weighed it, and it weighed fourteen pounds two ounces; Mrs. Jones said, the

girl was only lazy, she could work well enough.

Thomas Coulson sworn.

Thomas Coulson. On Tuesday the 4th of last August, I asked the girl, Mary Mitchel, when I saw her in that miserable condition, who beat her; she said her mistress; I asked her if it was her master; she said no, he had not beat her; or if the son had beat her; she said no.

Q. Did you mean who made her in that mangled condition on her head?

Coulson. I referred to that, and a terrible one it was.

Counsel. We do not charge the prisoner with touching her head. Guilty.

Their Sentence will appear in the last Part of October Sessions.

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